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SUBJ: COMMERCIAL FISHING VESSEL SAFETY.

A. MARITIME LAW ENFORCEMENT MANUAL, COMDTINST M16247.1A

1. BACKGROUND: COMMERCIAL FISHING CONTINUES TO BE THE MOST HAZARDOUS PROFESSION IN THE UNITED STATES. IN DEC 98, 8 LIVES AND 5 FISHING VESSELS WERE LOST IN 8 DAYS. AT THE ONSET OF 1999, AN ADDITIONAL 11 LIVES AND 4 FISHING VESSELS WERE LOST IN A SPAN OF 3 WEEKS. THESE LOSSES, THOUGH TRAGIC, PROVIDED IMPETUS FOR IMMEDIATE FOCUS ON COMMERCIAL FISHING VESSEL SAFETY (CFVS). A SPECIAL FISHING VESSEL CASUALTY TASK FORCE WAS FORMED ON 29 JAN 99, COMPOSED OF MEMBERS FROM THE CG, FISHING INDUSTRY, INSURANCE INDUSTRY, NOAA/NMFS, NTSB, AND OSHA. THE TASK FORCE MET AT CGHQ IN MAR 99 TO DISCUSS CASUALTIES, REVIEW THE EFFECTIVENESS OF OUR EXISTING CFVS PROGRAM, AND TO IDENTIFY MEASURES TO IMPROVE CFVS. A TASK FORCE REPORT WAS RELEASED ON 6 APR 99, CONTAINING 59 RECOMMENDATIONS TO IMPROVE CFVS. THESE RECOMMENDATIONS REQUIRE FURTHER EVALUATION SINCE MANY OF THEM ARE MEDIUM AND LONG-TERM, AND WILL REQUIRE LEGISLATIVE AND/OR REGULATORY AUTHORITY TO IMPLEMENT. WHILE THIS EVALUATION PROCESS IS UNDERWAY, HOWEVER, OTHER RECOMMENDATIONS WILL BE CONSIDERED THAT IDENTIFY IMMEDIATE AND SHORT-TERM ACTIONS THAT BOTH THE OPERATIONS AND MARINE SAFETY COMMUNITIES CAN TAKE DURING THE COURSE OF AT-SEA BOARDINGS, VOLUNTARY DOCKSIDE EXAMS, AND THROUGH EDUCATION AND OUTREACH EFFORTS TO IMPROVE CFVS. ON 14-15 APR 99, THE COMMERCIAL FISHING INDUSTRY VESSEL ADVISORY COMMITTEE (CFIVAC), CFVS PROGRAM MANAGERS, AND CFVS DISTRICT COORDINATORS MET TO DISCUSS THE FINDINGS OF THE TASK FORCE REPORT AND IMPLEMENTATION OF ACTIONS TO IMPROVE FISHING VESSEL SAFETY. IT WAS CLEAR FROM DISCUSSIONS AT THE MEETING, THAT CERTAIN IMMEDIATE ACTIONS COULD BE TAKEN. SPECIFICALLY, TO ENSURE THAT WHEN A CFV EXAMINER COMPLETES A DOCKSIDE EXAM OR A BO/BTM COMPLETES A BOARDING THAT THEY ARE CONFIDENT THE FISHING VESSEL CREW UNDERSTANDS THE SAFETY EQUIPMENT AND HOW TO USE IT, AND THAT THE SAFETY EQUIPMENT HAS BEEN PROPERLY INSTALLED AND IS SERVICEABLE.

2. PURPOSE:

A. DISSEMINATE THE FISHING VESSEL SAFETY TASK FORCE REPORT, AVAILABLE ON THE WEB AT [HTTP://GET.TO/THEFISHINGREPORT](http://get.to/thefishingreport).

B. PROVIDE FIRST-STEP GUIDANCE AS PART OF AN OVERALL EFFORT TO INCREASE SAFETY IN THE COMMERCIAL FISHING INDUSTRY TO A LEVEL EQUAL TO THE REST OF THE MARITIME INDUSTRY.

C. ENHANCE CURRENT G-O AND G-M SAFETY INITIATIVES TO BE CONSISTENT WITH TASK FORCE RECOMMENDATIONS.

D. REVISE AT-SEA BOARDING, BOARDING OFFICER TRAINING, VOLUNTARY DOCKSIDE EXAM, AND EDUCATION/OUTREACH POLICIES TO BETTER SUPPORT CFVS, IN TERMS OF BOTH PREVENTION AND RESPONSE.

E. RAISE THE SAFETY AWARENESS LEVELS OF INDUSTRY AND CG MEMBERS TO

PREVENT CAUSAL FACTORS COMMONLY RESPONSIBLE FOR F/V CASUALTIES.

3. ACTION: BASED ON THE SAFETY RECOMMENDATIONS CONTAINED IN THE TASK FORCE REPORT AND INPUT FROM THE CFIVAC, CFVS PROGRAM MANAGERS, AND CFVS DISTRICT COORDINATORS, G-M AND G-O HAVE IDENTIFIED THE FOLLOWING INITIATIVES TO BE IMPLEMENTED IMMEDIATELY:

A. REVISED BOARDING POLICY:

- (1) FOR A F/V WITH A CURRENT CFVS DECAL: IN ADDITION TO SPOT CHECKING ITEMS LISTED IN CHAP 10.D.1.F.4 OF REF A, IF APPLICABLE:

INSPECT THE HIGH WATER ALARMS, ENSURE THE VSL HAS A CURRENT STABILITY BOOK/LTR, AND AGGRESSIVELY PURSUE COMPLIANCE WITH REQUIRED DRILLS PURSUANT TO 46 CFR, PART 28.270. SINCE DRILLS ARE NOT REQUIRED TO BE LOGGED, CFV CREWMEMBERS SHOULD BE QUERIED ON THEIR KNOWLEDGE OF THEIR SAFETY EQUIPMENT AND ITS USE. INSTRUCTION SHOULD BE PROVIDED IF A LACK OF KNOWLEDGE ABOUT USE OF SAFETY EQUIPMENT IS EVIDENT. DISTRICT M AND O STAFFS SHALL COORDINATE TRAINING, IN SUPPORT OF PARA 3B OF THIS MESSAGE, TO BRING OPERATIONAL UNITS UP TO SPEED ON APPLICABLE REGS.

- (2) FOR A F/V W/OUT A CURRENT CFVS DECAL: CONDUCT A COMPLETE 4100F BOARDING, ONLY IF THE BO/BTM IS APPROPRIATELY TRAINED ON 46 CFR, PART 28 REQUIREMENTS. CFV CREWMEMBERS SHOULD BE QUERIED ON THEIR KNOWLEDGE OF THEIR SAFETY EQUIPMENT AND ITS USE. INSTRUCTION SHOULD BE PROVIDED IF A LACK OF KNOWLEDGE ABOUT USE OF SAFETY EQUIPMENT IS EVIDENT. RECOGNIZING THAT CFVS IS NOT TAUGHT AT RTC YORKTOWN, NOR CONTAINED IN THE BO/BTM PQS, LE TEAMS SHALL ONLY INSPECT 46 CFR, PART 28 ITEMS TO THE EXTENT THEY ARE CONFIDENT IN THEIR ABILITIES TO ENFORCE THESE REGS. SEVERAL 46 CFR, PART 28 ITEMS ARE EASILY CHECKED W/MINIMAL TRAINING, WHILE SOME ITEMS WILL TAKE SUBSTANTIAL ADDL TRAINING. OPERATIONAL UNITS SHALL STRIVE TO GRADUALLY INCREASE THE SCOPE OF AT-SEA BOARDINGS TO A POINT WHERE COMPLETE 4100F VSL EVALS ARE DONE. RECOGNIZING THE HIGH DEMANDS ALREADY PLACED ON OUR BO/BTM'S, OPERATIONAL UNITS ARE HIGHLY ENCOURAGED TO SEEK CFVS TRAINING FROM DISTRICT CFVS COORDINATORS/MO CFV EXAMINERS, AT LEAST UNTIL A TRAINING/RESOURCE SOLUTION IS IN PLACE. G-O AND G-M HAVE REQUESTED ADDL BILLETS AND FUNDING TO SUPPORT THIS IMPORTANT EFFORT, HOWEVER, AS AN INTERIM MEASURE, REGIONAL FISHERIES TRAINING CENTERS (RFTC) WILL COORDINATE CFVS TRAINING WITH DISTRICT MARINE SAFETY STAFFS IN SUPPORT OF PARA 3B OF THIS MESSAGE.

- (3) BOARDING PERSONNEL SHALL PAY PARTICULAR ATTN TO HATCHES AND OTHER WEATHER/ WATERTIGHT OPENINGS FOR GOOD MATERIAL CONDITION ICW THE INITIAL SAFETY INSPECTION (ISI). THIS IS ESPECIALLY IMPORTANT FOR MAIN DECK HATCHES AND COVERS. ALTHOUGH NOT SPECIFICALLY REQUIRED BY REGULATION, THE IMPORTANCE OF MAINTAINING THE INTEGRITY OF THESE WEATHER/WATERTIGHT FITTINGS SHOULD BE STRESSED TO THE VESSEL'S CREW.

- (4) TO CONTINUE TO PROVIDE AN INCENTIVE FOR PARTICIPATION IN THE VOLUNTARY DOCKSIDE EXAM PROGRAM, BOARDING PERSONNEL SHALL ACKNOWLEDGE THE IMPORTANCE OF THE CFVS DECAL TO VSL MSTRS, SPECIFICALLY NOTING THAT BOARDINGS WILL BE ABBREVIATED FOR THOSE VESSELS WHICH HAVE A CFVS DECAL PURSUANT TO GUIDANCE IN PARA 3A(1) OF THIS MESSAGE. FOR VSLS WITHOUT A CFVS DECAL, BOARDING PERSONNEL SHALL ENCOURAGE MSTRS TO SKED A DOCKSIDE EXAM AND ADVISE THEM THAT AN ABBREVIATED BOARDING WOULD HAVE BEEN CONDUCTED HAD THEY RCVD A CFVS DECAL.

B. CFVS TRAINING:

- (1) UNITS NOT CFVS TRAINED WITHIN THE PAST 12 MOS WILL RCV THIS TRNG DURING THEIR NEXT RFTC VISIT. G-M/G-O ARE SEEKING RESOURCES TO SUPPORT THIS INITIATIVE OVER THE LONG-TERM. IN THE INTERIM, DIST MARINE

SAFETY STAFFS SHOULD IDENTIFY & EARMARK CFVS FUNDING TO SUPPORT THIS TRAINING INITIATIVE. DIST MARINE SAFETY STAFFS AND MARINE SAFETY UNITS WILL ALSO PROVIDE INSTRUCTORS FOR THIS TRAINING. DIST AND RFTC COMMANDS SHALL WORK TOGETHER TO ESTABLISH A CFVS TRAINING PROGRAM, SIMILAR TO THE D8 "BEST PRACTICES" TRAINING PROGRAM, FOR BOARDING OFFICERS TO ENHANCE THEIR ABILITY TO ENFORCE CFVS REGS CONSISTENTLY AND CORRECTLY. THIS PROGRAM WILL BE DISCUSSED FURTHER AT THE UPCOMING RFTC SYMPOSIUM IN NEW ORLEANS, LA.

(2) IN ADDITION TO PROVIDING CFVS TRAINING AT RFTCS, DIST AND RFTC COMMANDS SHALL WORK TOGETHER TO ESTABLISH A "CGC SHIPRIDER PROGRAM" FOR CFVS COORDINATORS AND CFV EXAMINERS TO PARTICIPATE IN AT-SEA BOARDINGS OF FISHING VSLs. ALL LE FUNCTIONS DURING BOARDINGS SHALL REMAIN W/BO/BTM. CFVS PERSONNEL WILL SERVE AS CFVS ADVISORS/TRAINERS ONLY; THEREFORE, CFVS PERSONNEL ARE NOT REQUIRED TO MEET LE TRAINING REQUIREMENTS CONTAINED IN THE BO/BTM PQS. CFV PERSONNEL SHALL NOT BOARD A VSL IF THE OPCOM DETERMINES THAT AN UNACCEPTABLE RISK TO PERSONNEL SAFETY IS PRESENT. IT IS EXTREMELY IMPORTANT THAT THE CFVS PERSONNEL INSTRUCT ALL VSL MSTRS THAT THEIR INVOLVEMENT IN BOARDINGS IS STRICTLY ADVISORY AND WILL BENEFIT VSL MSTRS AND BO/BTM BY ENSURING MORE CONSISTENT REGULATORY ENFORCEMENT. THE "CGC SHIPRIDER PROGRAM" WILL ALSO PROVIDE CFVS PERSONNEL WITH A BROADER CFVS PERSPECTIVE AND PUT THEM MORE IN TOUCH WITH THEIR CUSTOMERS. TO PRESERVE THE INTEGRITY OF THE EXISTING VOLUNTARY DOCKSIDE EXAM PROGRAM, VSLs SHALL NOT BE TARGETED FOR AT-SEA BOARDINGS SPECIFICALLY AS A RESULT OF DEFICIENCIES DISCOVERED DURING DOCKSIDE EXAMS.

C. REVISED VOLUNTARY DOCKSIDE EXAM AND EDUCATION/OUTREACH POLICIES:

(1) DISTRICT STAFFS AND MSO COMMANDING OFFICERS SHALL ENSURE ALL DESIGNATED CFVS RESOURCES ARE USED SOLELY FOR THE CFVS PROGRAM IN ORDER TO MEET PROGRAM CHALLENGES AND CONGRESSIONAL EXPECTATIONS.

(2) DISTRICT STAFFS, COMMANDING OFFICERS, AND OFFICERS IN CHARGE SHALL PROMOTE THE AVAILABILITY AND BENEFITS OF DOCKSIDE VSL SAFETY EXAMS TO THE COMMERCIAL FISHING INDUSTRY IN ALL APPROPRIATE VENUES, EMPHASIZING THAT THEY ARE BOTH NON-PUNITIVE AND DESIGNED TO EVALUATE THE OVERALL SAFETY OF VESSELS.

(3) CFVS COORDINATORS AND CFV EXAMINERS, DURING DOCKSIDE EXAMS AND OUTREACH EFFORTS, SHALL ENHANCE THE SURVIVABILITY OF COMMERCIAL FISHERMAN IN THE EVENT OF AN EMERGENCY BY STRESSING THE IMPORTANCE OF ONBOARD SAFETY EQUIPMENT, PERIODIC VSL/EQUIP MAINTENANCE AND CREW TRAINING/DRILLS.

(4) CFV EXAMINERS SHALL VERIFY THAT F/V CREWS FULLY UNDERSTAND THE PROPER PROCEDURES TO TAKE IN THE EVENT OF EMERGENCIES PRESCRIBED IN 46 CFR, PART 28.270. EXAMINERS SHALL ENSURE ALL ONBOARD SAFETY EQUIPMENT HAS BEEN PROPERLY SERVICED, AND CREWMEMBERS FULLY UNDERSTAND HOW TO PROPERLY USE THEIR SAFETY EQUIPMENT. COMMANDING OFFICERS SHALL PROVIDE LOCAL DRILL INSTRUCTOR TRAINING FOR THEIR CFV EXAMINERS AS NEEDED.

4. STATIONS AND WPBS CONDUCT THE MAJORITY OF AT SEA CFVS BOARDINGS AND A SUBSTANTIAL PERCENTAGE OF THE VOLUNTARY DOCKSIDE EXAMINATIONS. THESE SMALLER, MINIMALLY STAFFED UNITS DO NOT HAVE THE RESOURCES TO FULLY COMPLY WITH THE CONTENTS OF THIS MESSAGE WITHOUT REPRIORITIZING OTHER VERY IMPORTANT TASKS. FIELD COMMANDERS MUST CAREFULLY CONSIDER THE COST, BENEFIT, AND IMPACT OF ANY TASK REPRIORITIZATION.

MSOS SHOULD LOOK AT SUCCESSFUL PROGRAMS AND CONSIDER OPPORTUNITIES TO SHIFT RESOURCES IN SUPPORT OF CFVS WHERE APPROPRIATE.

5. MARINE SAFETY AND OPERATIONS STAFFS SHALL WORK TOGETHER TO INCREASE THE SAFETY OF COMMERCIAL FISHERMEN. AT CGHQ, WE ARE AGGRESSIVELY SEEKING LONG-TERM SOLUTIONS TO MANY CFVS ISSUES, INCLUDING RESOURCE (BILLETS & FUNDING) INCREASES AND ADDITIONAL LEGISLATIVE AUTHORITY TO BETTER MANAGE THE CFVS PROGRAM. THESE INITIATIVES WILL TAKE TIME, BUT, AS STATED IN THE TASK FORCE REPORT, THERE ARE IMMEDIATE STEPS WE CAN TAKE TO INCREASE FISHING VESSEL SAFETY. ALL CG PERSONNEL INVOLVED IN ANY ASPECT OF CFVS ARE STRONGLY ENCOURAGED TO READ THE TASK FORCE REPORT AND TO SEEK ADDITIONAL WAYS TO MEET ITS OBJECTIVES.
6. THE CG AUXILIARY (CGAUX) HAS SIGNIFICANTLY EXPANDED ITS NATIONAL PROGRAM AND PLEDGED INCREASED SUPPORT FOR CFVS. THE CGAUX NATIONAL CFVS DIV CHIEF IS IN THE FINAL STAGE OF DEVELOPING 4 CFVS BRANCHES W/BRANCH CHIEFS LOCATED IN STRATEGIC LOCATIONS THROUGHOUT THE U.S. IN AN EFFORT TO PROMOTE CFVS PROGRAM QUALITY AND EXPANSION. WE ARE CONFIDENT THIS INITIATIVE WILL HELP RECRUIT AND TRAIN ADDITIONAL VSL EXAMINERS, AND INCREASE OUR OVERALL CADRE OF CFV EXAMINERS IN THE INTERESTS OF CFVS. ONGOING CGAUX CFVS EFFORTS IN BASIC SEAMANSHIP INSTRUCTION AND SAFETY EQUIPMENT EXAMINATION HAVE ALREADY PAID LARGE DIVIDENDS IN TERMS OF LIVES SAVED. COMMANDING OFFICERS AND OFFICERS IN CHARGE ARE ENCOURAGED TO FULLY UTILIZE THE REMARKABLE TALENTS OF THE CGAUX AS A WORKFORCE MULTIPLIER WHEN AT ALL POSSIBLE. ANY QUESTIONS REGARDING THIS CFVS INITIATIVE SHOULD BE DIRECTED TO MR. MIKE TRUE, CGAUX DIV CHIEF, (757) 867-9638.
7. ANY QUESTIONS, COMMENTS OR SUGGESTIONS SHOULD BE DIRECTED TO G-OPL, LCDR MICHAEL CERNE, (202) 267-2872 OR G-MOC, LT JOE PAITL, (202) 267-0507.
8. INTERNET RELEASE AUTHORIZED
9. RELEASED BY RADM R.C. NORTH, ASSISTANT COMMANDANT FOR MARINE SAFETY AND ENVIRONMENTAL PROTECTION, AND RADM E.R RIUTTA, ASSISTANT COMMANDANT FOR OPERATIONS.

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